

REMARKS/AMENDMENTS

Claims 1-3, 5-20 and 24-29 are pending in the present application. Claims 4, 21-23 and 30-37 have been withdrawn.

Independent Claim 1 has been amended to recite a lacrosse stick comprising a lacrosse stick handle, a lacrosse head structured and arranged to receive a lacrosse ball connected to the lacrosse stick handle, and an articulation mechanism structured and arranged to allow articulation of at least a portion of the lacrosse head with respect to the lacrosse stick handle. Claim 24 has been amended to depend from Claim 1 rather than Claim 2. Independent Claim 26 has been amended to recite an articulated lacrosse stick comprising a lacrosse stick handle, a lacrosse head structured and arranged to receive a lacrosse ball, and means for articulating the lacrosse head with respect to the lacrosse stick handle. Basis for the amended language of Claims 1 and 26 is provided in the specification, for example, at paragraphs [0046] and [0047]. Some non-limiting embodiments of the claimed lacrosse stick and articulation mechanism or means are shown in Figs. 1, 2, 8, 20, 21, 24a, 24b and 25.

It is submitted that independent Claims 1 and 26, and the claims that depend therefrom, are patentable over the prior art of record. Specifically, the Otto '629, Morrow '216, Brine '730, Hubbard '517 and Brine '578 patents, alone or in combination, fail to teach or suggest the combinations of features recited in Claims 1 and 26.

Otto '629 discloses a baseball and softball training apparatus including a tube mounted on a handle by a spring. A baseball or softball may be placed in the tube, which is then pulled back against the force of the spring and let go to fling the ball from the tube. Otto '629 does not teach or suggest a lacrosse head structured and arranged to receive a lacrosse ball.

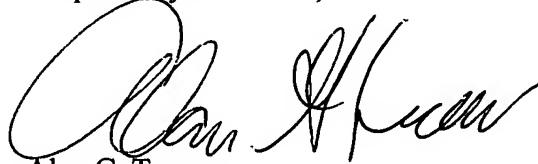
Morrow '216 discloses a scooped lacrosse head, but does not teach or suggest that the lacrosse head has an articulation mechanism or means to allow articulation of the lacrosse head with respect to a lacrosse handle. Brine '730 does not remedy the deficiencies of Morrow '216. In Brine '730, a lacrosse head is securely mounted on a lacrosse handle. Neither reference teaches that a screw used to attach a lacrosse head to a handle could be loosened such that relative movement therebetween would occur. One skilled in the art would recognize that a lacrosse head should be tightly secured to its handle. No teaching of articulation between a lacrosse head and handle is provided by either Morrow '216 or Brine '730.

As acknowledged in the previous Office Action, Brine '578 fails to disclose any type of articulation mechanism. Hubbard '517 is relied upon as teaching an articulation mechanism for a window cleaner. Applicant respectfully submits that Hubbard '517 is non-analogous and cannot properly be combined with the lacrosse stick of Brine '578. There is no teaching, suggestion or motivation provided in the prior art for making such a combination. Therefore, the rejection based on Brine '578 and Hubbard '517 should be withdrawn.

It is therefore submitted that Claims 1-3, 5-20 and 24-29 are in condition for allowance. Accordingly, an early Notice of Allowance of this application is respectfully requested.

In the event that any outstanding matters remain in connection with this application, the Examiner is invited to telephone the undersigned at (412) 263-4340 to discuss such matters.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Alan G. Towner', is written over the typed name.

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